

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PARAMOUNT FINANCIAL	:	CIVIL ACTION
COMMUNICATIONS, INC. d/b/a	:	
PLAN MANAGEMENT CORP., <u>et al.</u>	:	
	:	
v.	:	
	:	
BROADRIDGE INVESTOR	:	
COMMUNICATION SOLUTIONS, INC.	:	NO. 15-405

ORDER

AND NOW, this 28th day of September, 2016, upon consideration of plaintiffs' Motion to Compel Discovery with an accompanying memorandum of law in support thereof (Doc. 28) ("Motion") and defendant's memorandum of law in opposition to plaintiff's Motion (Doc. 30), and in accordance with the Memorandum of Decision filed today, it is hereby

ORDERED

that the Motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. The Motion is **GRANTED** in so far as the court finds that defendant has waived the attorney-client privilege with respect to the draft Marketing Agreement (Bates stamped "BICS579 to BICS592"). Plaintiffs may depose Stephen Glantz, Esquire, and may continue the deposition of Vincent Roux, regarding the comments made in the draft Marketing Agreement. However, the waiver of the attorney-client privilege is limited only to the comments within that document.

2. The Motion is **DENIED** in that the court rejects plaintiffs' argument that defendant's waiver of the attorney-client privilege with respect to the draft Marketing Agreement constitutes a broad subject matter waiver of any attorney-client communications regarding the

Marketing Agreement.

3. The Motion is **DENIED WITHOUT PREJUDICE** with respect to plaintiffs' request for in camera review of the Twenty-Four Documents. Plaintiffs may renew this request for in camera review after the depositions of Messrs. Glantz and Roux.

4. Within fourteen (14) days of the date of this Order, defendant shall file an affidavit(s) from Mr. Glantz, or any individuals it deems appropriate, to establish that the communications in the Twenty-Four Documents were to aid in the provision of legal advice, not business advice.

BY THE COURT:

/s/ Thomas J. Rueter
THOMAS J. RUETER
United States Magistrate Judge